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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/674,321

09/30/2003

Ohad Zeliger

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EXAMINER

SEYE, ABDOU K

ART UNIT

PAPER NUMBER

2194

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,321	Applicant(s) ZELIGER ET AL.	
	Examiner Abdou Karim Seye	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the initial office action based on the application filed on September 30, 2003. Claims 1-33 are currently pending and have been considered below.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title.

Claims 31 and 32 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim is directed to a signal directly or indirectly by claiming a medium and the Specification recites evidence where the computer readable medium is define as a "**wave**" (such as a carrier wave) . In that event, the claim is directed to a form of energy which at present the office feels does not fall into a category of invention. The examiner views claim 31 as a computer program product stored in a computer readable medium, since the applicant discloses in the specification storage media such as ROM devices for the programs and methods.

Claim 33 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The current focus of the Patent Office in regard to statutory inventions under 35 U.S.C. § 101 for system claims and claims that recite a judicial exception (software) is that the claimed invention recite a practical application. The final result of the claim is not tied to real world which is not a tangible result because software programs and method function means for

invoking an API object reference, means for identifying a corresponding native object, means for instantiating the identified native object and means for maintaining a link between the instantiated API object and the corresponding native object are neither used for anything nor stored in a computer readable medium.

Appropriate changes are required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

Claims 15, 17-27 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15 and 29 recite the limitation "the corresponding native object".

There is insufficient antecedent basis for the limitation in these claims.

Claim 17 recites the limitation "the attributes". There is insufficient antecedent basis for the limitation in this claim.

Claim 18 recites the limitation "the link". There is insufficient antecedent basis for the limitation in this claim.

Appropriate change is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-11, 13-25 and 27 -33 are rejected under 35 U.S.C. 102(b) as being anticipated by **Whitehead, et al. (US 6085030)**.

Claims 1 and 31-33: Whitehead discloses a method, system and software product for remote invocation of an object in a base object library via a remote access object library comprising:

a. Invoking via a client application interface an API object reference in the remote access object library/model (fig. 2/210, col.7, lines 16-20);

b. Identifying a corresponding native object to the invoked API object (fig. 2, col. 7, lines 16-20);

c. Instantiating the identified native object (fig. 2, col. 7, lines 48-50);

and

d. Maintaining link between the API object and the native object, the link providing a dynamic reflection of the native object in the API object (fig.2, col. 7, lines 35-67; fig. 8b, col. 14, lines 18-20).

Claims 2 and 19: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 1 and 31-33 above and further discloses the steps of:

- a. Copying the native object in an object space; object repository (fig.2, col. 7, lines 55-67);
- b. Identifying attributes of the native object (fig. 4, col.11, lines 5-10; fig. 2, col. 7, lines 55-67); and
- c. Populating the values for the attributes (fig. 2, col. 8 lines 64-67, col. 9, lines 1-2).

Claims 3 and 20: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 2 and 19 above and further discloses the step of determining the attribute values of the corresponding instantiated API object (fig. 2, col. 8, lines 64-67, col. 9, lines 1-2; col. 10, lines 27-35).

Claims 4 and 21: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 1 and 31-33 above and further discloses the step of referencing the native object (fig. 2, col. 8, lines 28-35).

Claims 5 and 22: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 1 and 31-33 above and further discloses that the steps of:

- a. Traversing objects in the remote access object library; tree (fig. 4,

col. 11, lines 10-15);

- b. Invoking method/functionality (fig. 4, col. 11, lines 40-45);
- c. Identifying the object in the object space/repository (fig. 4b/450);
- d. Determining a related object associated with the native object in the base object library (fig. 4b/472); and
- e. Receiving an instantiation of the related object (fig. 5, col. 11, lines 55-67).

Claims 6 and 23: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 5 and 22 above and further discloses that the object identifier is a uniquely identifier of an instantiation of an object in an object space (fig. 4, col. 10, lines 1-20).

Claims 7 and 24: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 1 and 31-33 above and further discloses that the base object library further comprises exposed and local objects with their attributes (fig. 1; fig. 5, col. 11, lines 55-67).

Claims 8 and 25: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 1 and 31-33 above and further discloses the step of:

- a. Identifying templates corresponding to object types (fig. 3, col. 9, lines 40-45; fig. 4, col. 11, lines 1-5);
- b. Defining metadata (fig. 3/350; fig. 4, col. 11, lines 6-10); and
- c. Building object generator (fig. 1/240).

Claim 9: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 8 and 25 above and further discloses the step of identifying native objects (fig. 2, col. 7, lines 16-20).

Claim 10: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 8 and 25 above and further discloses the step of defining attributes of the objects (fig. 4, col. 11, lines 6-10).

Claim 11: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 8 and 25 above and further discloses the step of defining a native administration application for managing the information on the network services (fig. 2, col. 8, lines 44-50).

Claims 13 and 27: Whitehead discloses a method, system and software product for remote invocation of an object as in claims 1 and 31-33 above and further discloses the step of:

a. Modifying the base object library (fig. 6, col. 13, lines 9-18; col. 14, lines 8-30); and

b. Remapping the links between the API objects and a new corresponding native object resulting from the modifying (fig. 6 col. 12, lines 44-67; col. 14, lines 8-30).

Claims 14 and 28: Whitehead discloses a method and system of defining and deploying a remote access object library corresponding to a base application object model comprising:

a. Identifying a subset of objects (fig. 3/314,324,334 col. 9, lines 3

-6);

b. Defining a client application interface (fig. 3/310, col. 7, lines 7

-20);

c. Defining metadata of attributes via an instance manager (fig. 3/350; fig. 4, col. 11, lines 6-10);

d. Defining object templates corresponding to object types, via a mapper (fig. 3, col. 9, lines 40-45; fig. 4, col. 11, lines 1-5); and

e. Generating the object library/model, via an API object generator (fig. 1/240).

Claims 15 and 29: Whitehead discloses a method and system of defining and deploying a remote access object library as in claims 14 and 28 above and further discloses the step of defining objects metadata that include object identifier keys, attribute name mapping and attribute type conversion (fig. 6, col. 13, lines 1-32).

Claims 16 and 30: Whitehead discloses a method and system of defining and deploying a remote access object library as in claims 14 and 28 above and further discloses the steps of:

a. Identifying object classes (fig. 3, col. 9, lines 7-20). The elements "CoCreateInstance and CoGetClassObject" of Whitehead reference meets the claimed limitation of the claim; and

- b. Identifying the object types and attributes (fig. 3, col. 9 lines 7-20).

The elements "CoCreateInstance and CoGetClassObject " of Whitehead reference meets the claimed limitation of the claim.

Claim 17: Whitehead discloses a method for remote invocation of a base object library via a remote access object library corresponding to a base object source model, the remote access object library providing remote exposure of a subset of objects in the base object library comprising:

- a. Invoking objects in the remote access object library (fig. 2, col.7, lines 16-20);
- b. Identifying a corresponding native object in the base object model (fig. 2, col. 7, lines 16-20);
- c. Copying, in an object space, the native object (fig. 1/254);
- d. Identifying attributes of the native object, corresponding attributes in the copied object (fig. 4, col. 11, lines 6-10);
- e. Instantiating the copied object to a corresponding API object in the client (fig. 2, col. 7, lines 48-50); and
- f. Maintaining a link between the API object and the native object, the link providing a dynamic reflection of the native object in the API object (fig.2, col. 7, lines 35-37).

Claim 18: Whitehead discloses a computer system server for remote invocation of an object in a base object library via a remote access object library comprising:

- a. A processor (fig. 1/112);
- b. A memory (fig. 1/114); and
- c. An object mapping table in the memory (fig. 1, col. 7, lines 1-5).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obvious rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 12 and 26 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Whitehead et al. (**US 6772205**).

Claims 12 and 26: Whitehead discloses a method for remote invocation of an object as in claim 11 above and further discloses that other alternative technologies are available than the Netware directory services (**NDS**) such as the Global component registry infrastructure (**GCRI**) (fig. 2, col. 7, lines 55-67). The **NDS** system provides management of the information stored in the component registry. But Whitehead does not explicitly disclose that the native application is a storage area network management application having a database of storage area network management information, the storage area network

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management application operable to manipulate agents corresponding to manageable entities, and wherein the remote access object library is a toolkit operable to provide API entry points into the storage area network management application in a non intrusive manner. However, Whitehead discloses that the GCRI includes compliant naming systems ODBC/JDBC, and compliant database databases such as ORACLE or SYBASE, flat file database (fig 2, col. 7, lines 65-67, col. 8, lines 1-2). Therefore it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Whitehead's invention and define the native application as a SYBASE database application that includes RDBMS and tools operable to provide API entry points into the storage area network management application in a non intrusive manner in order to enhance the speed in which a user of a database server can store, retrieve and present particular data records. Therefore, one would have been motivated to develop a Sybase application program for a client user in order to improve performance of the distribution and execution of objects including the user application object, across multi tiers of remote object access in a distributed computer environments.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Slaughter et al (7080078) discloses a system and method for interaction and access to shared content among clients and services in a distributed computing environment.

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Ludwig et al (6006230) discloses a database client/server development system providing support for remote sessions with user-created application objects is described.

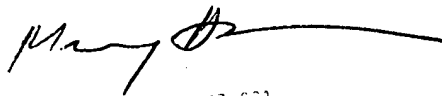
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached Monday through Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, contact the examiner's supervisor, William Thomson at (571) 272-3718. The fax phone number for formal or official faxes to Technology Center 3600 is (571) 273-8300. Draft or informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

AKS
November 8, 2006

William Thomson
Supervisory Patent Examiner


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